

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED

APR 03 2025

JENNIFER RYAN,

Plaintiff,

v.

PAYPAL INC.,

Defendant.

CLERK, U.S. DISTRICT COURT
TEXAS EASTERN

CIVIL ACTION NO.: 4:22-cv-559

JURY TRIAL DEMANDED

AFFIDAVIT IN SUPPORT OF REQUEST FOR ENTRY OF DEFAULT


I, Jennifer Ryan, declare under penalty of perjury under the laws of the United States that the following is true and correct:

1. I am the Plaintiff in this action, proceeding pro se, and I reside in Texas.
2. On February 24, 2025, I filed my Second Amended Complaint (Dkt. #49) against Defendant PayPal Inc. ("PayPal") with this Court, alleging unconstitutional deplatforming, defamation, and related claims, supported by 48 exhibits.
3. On February 24, 2025, I hand-delivered Dkt. #49 to the United States Courthouse, 7940 Preston Rd, Plano, TX 75024, for filing, as certified in my Certificate of Service (Dkt. #49, Page 16). The Court served it via CM/ECF to all counsel of record per Local Rule CV-5.
4. PayPal's response to Dkt. #49 was due within 21 days, by March 17, 2025 (Fed. R. Civ. P. 12(a)), or as permitted under the stay (Dkt. #25). As of today, April 3, 2025, 38 days have passed, and PayPal has not filed an answer, motion, or any pleading in response to Dkt. #49.
5. On April 2, 2025, I filed my Third Amended Complaint (Dkt. #62) against PayPal, supplementing prior claims with new evidence, including my Declaration (Exhibit AA), and hand-delivered it to the United States Courthouse, 7940 Preston Rd, Plano, TX 75024, for filing, as certified in my Certificate of Service (Dkt. #62, Page 5). The Court served it via CM/ECF to all counsel of record.

6. PayPal's response to Dkt. #62 is due by April 23, 2025 (Fed. R. Civ. P. 12(a)). As of today, April 3, 2025, PayPal has not responded.
7. PayPal's last filing was on March 10, 2025 (Dkt. #56), addressing prior motions but not Dkt. #49 or Dkt. #62. Despite the stay (Dkt. #25), PayPal has failed to plead or otherwise defend against my amended complaints, even with limited response permitted, for over 60 days on Dkt. #49.
8. On April 3, 2025, at approximately 2:56 PM CST, PayPal's counsel, Robert C. Vartabedian, emailed me requesting a Local Rule CV-7(h) conference for a Motion to Strike Dkt. #49 and Dkt. #62. This does not constitute a response to either complaint and comes after 38 days of silence on Dkt. #49, reinforcing their willful failure to defend. *Furthermore this motion is litigation, not arbitration consistent with prior conduct (eg #56) waiving their arbitration right (Dkt 49 V- Morgan & Sundance Inc. 1/4/25)*
9. I have not received any communication from PayPal or its counsel indicating an intent to answer Dkt. #49 or Dkt. #62, nor have they accepted my reasonable settlement offer of March 10, 2025 (Dkt. #59, ¶ 5, Ct. 1708 (2022), and is untimely for Dkt. #49, due March 17, 2025 (Rule 12(f))
- 4), until today's email about a motion, not a defense.

I respectfully request the Clerk of Court enter default against PayPal under Fed. R. Civ. P. 55(a) for failing to plead or otherwise defend against Dkt. #49 and, as applicable, Dkt. #62.

Executed on this 3rd day of April, 2025, at Plano, Texas.


Jennifer L. Ryan

jennaryanrealty@gmail.com

469-491-0587

Pro Se Plaintiff

CERTIFICATE OF SERVICE

I certify that on April 4, 2025, I hand-delivered this Affidavit in Support of Request for Entry of Default to the United States Courthouse, 7940 Preston Rd, Plano, TX 75024, for filing in Case No. 4:22-cv-559. The Court will serve it via CM/ECF to all counsel of record per Local Rule CV-5.

/s/ Jennifer L. Ryan